

Nº 49141

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office.....JUN 17 1985

Returned to applicant for correction.....JUL 03 1985

Corrected application filed.....

Map filed.....JUL 09 1985

The applicant Frank W. Lewis

120 Greenridge Drive, of Reno, Nevada 89509

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Source

Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 3.0 second-feet

One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Mining, Milling and Domestic

Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point SE 1/4 SE 1/4 Section 9, T31N, R43E,

Describe as being within a 40-acre subdivision of public

MDM, at a point from which the E 1/4 corner of said Section 9 bears N 20° 25' 00" E survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated. 2460 feet.

6. Place of use Sections 9, 10, 11, 14, 15 and 16, T31N, R43E, MDM

Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.

Month and Day

Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drill well, case and install turbine pump, construct pipeline to mill facility.

State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$100,000

10. Estimated time required to construct works 3 years
If well completed, describe works.
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11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please address copies of all correspondence to:
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Hart Resources, Inc.; 4695 South, 1900 West; Roy Utah 84067
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By s/Lawrence P. Smith
Lawrence P. Smith, P.E. (Agent)
J.W. Patterson & Associates, Inc.
50 W. Liberty St., Suite 1020
Reno, NV 89501

Compared tw/jf

Protested Pro. August 20, 1985 by Louie Venturacci

Pro. 9/19/85 by
Battle Mountain Gold Co. W/D 10/30/02
DENIAL **OF STATE ENGINEER**

~~This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:~~

This application is hereby denied on the grounds that its approval would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed on or before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 6th day of October,
A.D. ~~19~~2003..

Hugh Ricci, P.E.
State Engineer